

Notice of Allowability

Application No.

10/645,725

Examiner

Thomas E. Lazo

Applicant(s)

MAY, EWALD

Art Unit

3745

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ The drawings filed on 22 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 6/4/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 09232004
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Harold Fullmer (42,560) on 9/23/04.

The application has been amended as follows:

IN THE SPECIFICATION:

On page 4, lines 14-15 have been changed to:

This problem is solved, for example, according to an embodiment of the invention by means of a piston that is provided with one peripheral web protruding from the peripheral surface, disposed on said peripheral surface in both areas, each of which defining one end of the piston, and supporting connector elements, which extend longitudinally in the direction of the other end of the piston, arranged successively at a distance from each other in a parallel manner contiguous to the peripheral webs. Each two adjacent supporting connector elements define a groove-shaped recess and are provided with a collar-shaped seal made of a thermoformable sealing material, which is formed on the piston body in such a way that the peripheral webs as well as the supporting connector elements are

Art Unit: 3745

incorporated into the material of the collar-shaped seal over only a portion of their height.

The above change to the specification has been made to remove a reference to "claim 1" in the specification.

IN THE CLAIMS:

In claim 1, line 5, "piston. Supporting" has been changed to --piston, and supporting--.

In claim 1, line 7, "are" has been deleted.

In claim 1, line 9, "web" has been changed to --webs--.

In claim 3, line 1, "claim 1 or 2" has been changed to --claim 1--.

In claim 5, line 1, "one of the claims 1 to 4" has been changed to --claim 4--.

In claim 6, line 1, "one of the claims 1 to 5" has been changed to --claim 2--.

In claim 7, line 1, "one of the claims 1 to 6" has been changed to --claim 6--.

The above changes to the claims have been made to correct claim format and more clearly claim the invention.

REASONS FOR ALLOWANCE

The instant invention is deemed to be directed to an unobvious improvement over the invention patented in U. S. Patent No. 6,591,948 to Cassellas et al. The improvement comprises a piston with supporting connector elements arranged contiguous to peripheral webs disposed on each end of the piston for the purposes of providing a sufficient sealing surface between the peripheral surfaces of the piston and the inner wall of the cylinder.

Art Unit: 3745

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

PRIOR ART

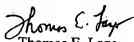
The patent to Cassellas et al. is cited for the showing of a piston similar to applicant's but lacking a second peripheral web arranged contiguous with the supporting connector elements.

CONTACT INFORMATION

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Thomas Lazo whose telephone number is (703) 308-2285. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor Edward Look, can be reached on (703) 308-1044. The fax phone number for this Group is (703) 872-9306.

Any inquiry of a general nature or relating to status of this application or proceeding should be direct to the Group receptionist whose telephone number is (703) 308-0861.


Thomas E. Lazo
Primary Examiner
Art Unit 3745

TEL/
September 23, 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/645,725 | 08/21/2003 | Ewald May | GKN-0137 | 8175 |

23377 7590 09/28/2004
WOODCOCK WASHBURN LLP
ONE LIBERTY PLACE, 46TH FLOOR
1650 MARKET STREET
PHILADELPHIA, PA 19103

EXAMINER

LAZO, THOMAS E

ART UNIT PAPER NUMBER

3745

DATE MAILED: 09/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|---|-----------------|--------------|--|
| Examiner-Initiated Interview Summary | Application No. | Applicant(s) | |
| | 10/645,725 | MAY, EWALD | |
| | Examiner | Art Unit | |
| | Thomas E. Lazo | 3745 | |

All Participants:

Status of Application: pending

(1) Thomas E. Lazo (USPTO)

(3) _____

(2) Harold H. Fullmer (42,560)

(4) _____

Date of Interview: 23 September 2004

Time: 1400

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

none

Claims discussed:

1,3,4,5,6,7

Prior art documents discussed:

none

Part II.

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

An agreement was reached to remove claim references in the specification, correct claim format, and more clearly claim the invention.

Part III.

- ☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

Thomas E. Lazo
 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)